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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,678	09/08/2003	Gebhard Rudolf Huckfeldt	GMH/410/US	1238
2543	7590	09/30/2005	EXAMINER	
ALIX YALE & RISTAS LLP 750 MAIN STREET SUITE 1400 HARTFORD, CT 06103			AHMAD, NASSER	
			ART UNIT	PAPER NUMBER
			1772	

DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/657,678	HUCKFELDT ET AL.	
	Examiner	Art Unit	
	Nasser Ahmad	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/28/03</u> . | 6) <input type="checkbox"/> Other: _____ |

EV

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 14-15, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pormann (4563231) in view of Inoue (3265286).

Pormann relates to a tubular casing of fiber-reinforced material (abstract) such as a woven network, lattice or knitted fabric, etc. (col. 5, lines 59-60). As shown in figures 5 and 6, the casing is provided with a tear strip (37) located along the length of the casing for facilitating tearing open the casing (col. 15, lines 66-68). The casing is shirred and can be extendible in the longitudinal direction. The casing and the netting are adhesively bonded together because the fiber layer is adhered to the viscose coating. However, Pormann fails to teach that the length of the tear strip is greater than the length of the casing. Inoue discloses a tubular casing (figure-2) wherein the tear strip (8) has a length greater than that of the casing length for gripping and initiate unpacking (col. 2, lines 50-51). Therefore, it would have been obvious to one having ordinary skill in the art to utilize Inoue's teaching of using a tear strip that has a greater length than that of the casing in the invention of Pormann with the motivation to provide for gripping to initiate tearing.

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Regarding claim 2, the tear strip being a loop form, it would have been obvious to one having ordinary skill in the art to modify Inoue by providing the tear strip into a the shape of a loop, as it would involve a change in the shape of the strips' gripping end portion.

3. Claims 4, 8-9, 15 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pormann in view of Inoue and Siebrecht (5043194).

Pormann and Inoue, as discussed above, fails to teach that the netting has honeycomb strands. Siebrecht relates to a tubular casing having knitted fabric or netting comprising polygonal strand forms, including hexagonal (col. 2, lines 40-50) to provide for increased reinforcement to the casing. Therefore, it would have been obvious to one having ordinary skill in the art to utilize Siebrecht's teaching of using hexagonal shaped netting of knitted stitches for the fiber reinforced layer in the invention of Pormann with the motivation to provide for increased reinforcement to the casing.

Allowable Subject Matter

4. Claims 5-6 , 10 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art uncovered so far fails to teach that the honeycomb strands of the netting are partially knitted as fringes and that the tear-open thread is bound into the fringes, that the netting is produced as a double-rib or warp-knit fabric with the tear-open thread inserted into the stitches, or that the honeycomb strands are designed as a tricot.

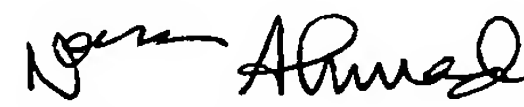
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nasser Ahmad 9/24/05
Primary Examiner
Art Unit 1772

N .Ahmad.
September 24, 2005.